

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

SHAY GLASS

Defendant(s)

Case No.

3:19mj162

FILED
RICHARD W. HAGEM
CLERK OF COURT

2019 MAR 15 PM 12:07

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV. DAYTON

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 13, 2019 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. §§ 841(a)(1) and 841(b)
(1)(C)Possession with intent to distribute a mixture or substance containing a
detectable amount of fentanyl

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.TFO Frederick D. Zollers
Complainant's signatureTFO Frederick D. Zollers, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date:

3-15-19

Judge's signature

City and state:

Dayton, Ohio

Sharon L. Ovington, U.S. Magistrate Court Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMININAL COMPLAINT

I, Frederick D. Zollers, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a sworn law enforcement officer in the State of Ohio and have been for over twelve (12) years. I am presently a sworn member of the Montgomery County Sheriff's Office ("MCSO"). I am currently assigned to the Federal Bureau of Investigation's ("FBI") Southern Ohio Safe Streets Task Force as a Task Force Officer. I have received training in drug trafficking investigations and have conducted and participated in numerous such investigations (ultimately leading to successful prosecution) involving surveillance, gathering evidence of money laundering, interviewing suspected drug traffickers, and supervising the activities of informants who provided information and assistance that resulted in the seizure of narcotics, firearms, and United States currency. Based on my training and experience, I am familiar with federal drug laws, and I am aware that it is a violation of Title 21, United States Code, Section 841(a)(1), to knowingly and intentionally distribute and possess with intent to distribute controlled substances (including heroin, fentanyl, cocaine, and methamphetamine).
2. This Affidavit is submitted in support of a criminal complaint, and seeks the issuance of an arrest warrant against **SHAY GLASS** (hereinafter, "**GLASS**") for possession with intent to distribute a mixture or substance containing a detectable amount of fentanyl in violation of 21 U.S.C. § 841(a)(1) and 841(b)(1)(C).
3. Along with other law enforcement agents, I have participated in the investigation of **GLASS** in connection with the conduct detailed in this Affidavit. As part of the investigation, I have, among other things, discussed information with, and/or reviewed documentation and reports provided by, other law enforcement officers. My knowledge of the facts and circumstances set forth in this Affidavit is thus based upon my own personal observations, as well as information I have received from other law enforcement officers involved in the investigation. For purposes of this Affidavit, I have not distinguished between information of which I have direct knowledge and that of which I have indirect knowledge.
4. I have elected not to include in this Affidavit all the factual details gathered to date during the investigation, but rather I have included only certain information sufficient to establish probable cause to believe that **GLASS** has committed a violation of 21 U.S.C. § 841(a)(1).

SUMMARY OF PROBABLE CAUSE

5. Beginning in March 2018 and continuing thereafter, members of the Montgomery County Regional Agencies Narcotics and Gun Enforcement ("RANGE") Task Force conducted a narcotics investigation involving **GLASS**.
6. While conducting this long-term drug trafficking investigation, Detective Josh Samples, a member of the Miami Township Police Department assigned to the RANGE Task Force,

and other law enforcement conducted surveillance on **GLASS** and used a RANGE Task Force Confidential Informant (hereinafter, the "CI") to conduct several controlled purchases of suspected heroin/fentanyl from **GLASS**. The CI is considered reliable as he/she has previously provided information that investigators were able to corroborate through independent investigation.

7. On or about February 20, 2019, members of the RANGE Task Force, with the assistance of the CI, conducted a controlled purchase of heroin/fentanyl from **GLASS** in the area of Hopeland and Harriet Streets in Dayton, Ohio. Using RANGE Task Force buy funds, the CI purchased several gel capsules from **GLASS**, which field tested positive for fentanyl. Following the controlled purchase, law enforcement officers maintained surveillance on **GLASS**, who was driving a red 2015 Ford Fusion, and observed him drive to, and park in front of, a residence at 528 W. Stewart Street, Dayton, Ohio. **GLASS** was observed entering the residence.
8. On or about March 13, 2019, law enforcement, with the assistance of the CI, conducted another controlled purchase of heroin/fentanyl from **GLASS** in the area of Hopeland and Harriet Streets. Again, using RANGE Task Force buy funds, the CI purchased several gel capsules of suspected heroin/fentanyl from **GLASS**. **GLASS** was observed leaving the controlled purchase in the red Ford Fusion and driving to the residence at 528 W. Stewart Street.
9. Upon his return to 528 W. Stewart Street, law enforcement maintained surveillance on **GLASS**. Throughout this surveillance, **GLASS** was observed entering and exiting the residence and driving the Ford Fusion to several suspected door-to-door drug transactions involving other vehicles. Law enforcement arrested **GLASS** as he exited the Ford Fusion following one such suspected drug transaction. A search of his person revealed two cellular phones and a large amount of United States currency.
10. Following **GLASS**' arrest, law enforcement secured 528 W. Stewart Street, and Detective Samples obtained a state search warrant for the Ford Fusion and the residence. The search warrant was signed by the Honorable Dayton Municipal Court Judge Carl Henderson. Pursuant to the search warrant, law enforcement conducted a thorough search of the Ford Fusion and the residence.
11. In the Ford Fusion, law enforcement located the RANGE Task Force buy funds that the CI had used in making the controlled purchase from **GLASS** on or about March 13, 2019.
12. In the residence at 528 W. Stewart Street, law enforcement located two plastic baggies of gel capsules inside a box of sandwich baggies in the kitchen area. The gel capsules, which contained a white powdery substance suspected to be fentanyl, were like and similar to the gel capsules the CI received during the controlled purchase on or about March 13, 2019. In the basement, law enforcement located a large quantity of suspected heroin/fentanyl, consisting of (1) approximately several hundred gel capsules and (2) other powder quantities of suspected heroin/fentanyl in plastic baggies. Law enforcement also recovered

from the basement a digital scale and a filtration mask, both of which are items utilized by drug traffickers.

13. The gel capsules of suspected heroin/fentanyl that the CI received during the controlled purchase on or about March 13, 2019 and all of the suspected drugs seized from inside the residence at 528 W. Stewart Street were submitted to the Miami Valley Regional Crime Laboratory ("MVRCL") to be analyzed. On March 14, 2019, I received confirmation that initial analysis of the gel capsules from the controlled purchase on or about March 13, 2019 detected the presence of fentanyl (Schedule II). Further analysis of the suspected narcotics submitted to the MVRCL is pending.
14. Based on the facts set forth in the Affidavit, there is probable cause to believe that, on or about March 13, 2019, in the Southern District of Ohio, **GLASS** committed a violation of 21 U.S.C. § 841(a)(1) and 841(b)(1)(C), that being possession with intent to distribute a mixture or substance containing a detectable amount of fentanyl.

Further your Affiant sayeth naught.

Frederick D. Zollers TFO
Frederick D. Zollers, Task Force Officer
Federal Bureau of Investigation
Southern Ohio Safe Streets Task Force

SUBSCRIBED and SWORN
before me this 15th of March, 2019

Sharon L. Ovington
HONORABLE SHARON L. OVINGTON
UNITED STATES MAGISTRATE JUDGE